74 REPORT/PTO 21 JUL 1998

S/N Unknown PATENT

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

KINGSMAN et al.

Examiner:

Unknown

Serial No.:

Unknown

Group Art Unit:

Unknown

Filed:

Intl Filing Date January

Docket No.:

9192.5USWO

23, 1997

Title:

RETROVIRAL VECTOR AND ITS USE IN GENE THERAPY

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL039318174US

Date of Deposit: July 21, 1998

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

By: M. L. Cour

# INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

With regard to the above—identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Applicant hereby brings attention to the Examiner that the references listed were cited in an International Search Report dated April 24, 1997. A copy of the International Search Report is enclosed. Since the International Search Report is in English, no English translation of the listed foreign references are required, pursuant to MPEP §609(A)3.

This statement should be considered because it is submitted within three months of the date of entry of the national stage in an international application (37 C.F.R. § 1.491).

Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other

prormation usted on the enclosed form (449 is provided

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §1.98(a)(3)):

An English abstract is attached for reference WO 95/22617.

No representation is made that a reference is "prior art" within the meaning of 35

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialled by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13–2725.

Respectfully submitted,

MERCHANT, GOULD, SMITH, EDELL, WELTER, & SCHMIDT, P.A.

3100 Norwest Center

90 South Seventh Street

Minnesota 55402

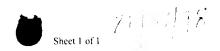
(612) 33/2,-5/30/0/

Dated: July 21, 1998

Michael B. Lasky

Reg. No. 29,555

MBL/sef



#### FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

### IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 9192 5USWO Application Number 071

Applicant: KINGSMAN et al.

Filing Date: Intl Filing Date January 23, 1997 Group Art Unit: Unknown

				I.S. PATENT DOCUMENTS	s 			
EXAMINER INITIAL			DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
INITIAL	. <u> </u>							
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			FC	PREIGN PATENT DOCUM		GUDGI AGG	TRANS	LATION
	DOCUMENT NO.		DATE	COUNTRY	CLASS	SUBCLASS		
							YES	l No
	WO 94/29438 WO 95/22617		December 22, 1994	PCT			ļ	-
			August 24, 1995	PCT			Abstract	
	<u> </u>	0.	THER DOCUMEN	NTS (Including Author, Title,	Date, Pertinent Page	s, Etc.)		
`~	1995	Yuko Soneoka, et al., "A transient three-plasmid expression system for the production of high titer retroviral vectors", <i>Nucleic Acid Research</i> : 1995; Vol. 23, No. 4, pp. 628-633.						
	February 1995	Jong-Hoon Lee, MD and Harvey G. Klein, MD; "Cellular Gene Therapy"; Hematology/Oncology Clinics of North America; February 1995; Vol. 9, No.1, pp. 91–113.						
	1993	Mariann Grossman and James M. Wilson; "Retroviruses: delivery vehicle to the liver", Current Opinion in Genetics and Development; 1993; Vol. 3, pp. 110–114						

**EXAMINER** 

MATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation at potan conformance and not considered. Include copy of this form for next communication to the Applicant.